

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MARIA GUZMAN MORALES &  
MAURICIO R. GUARJARDO,

Plaintiffs,

v.

FARMLAND FOODS, INC.

Defendant.

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CASE NO. 8:08-cv-504

**DEFENDANT FARMLAND FOODS, INC.'S MOTION TO  
RE-SET A DEADLINE FOR ALL DISCOVERY MOTIONS**

Defendant, Farmland Foods, Inc. ("Farmland"), by and through its undersigned counsel, and pursuant to Fed. R. Civ. P. 16 and 37, and NECivR 16.1(a), files this Motion to Re-Set a Deadline for All Discovery Motions. In support of this motion, Farmland shows the court as follows:

1. On October 23, 2009, this Court exercised its authority and set a discovery motion deadline corresponding to the original August 31, 2010, deposition deadline. (Filing No. 91.)
2. When the discovery deadline was extended, the corresponding discovery motion deadline was vacated, and to date the Court has not yet re-set that deadline.
3. Discovery in this matter closed June 9, 2011. Trial of this matter is scheduled for March 2012.
4. A discovery motion deadline is important so that all discovery issues, including alleged document production issues, can be presented to the Court well in advance of trial. This is necessary to protect the parties from unfairness and so the trial is not disrupted or

delayed due to discovery issues that a party does not raise until the eve of trial or, worse yet, after the jury is empanelled.

5. Pursuant to NECivR 16.1(a), the magistrate judge may enter an order setting a discovery motion deadline.

Pursuant to Fed. R. Civ. P. 16, NECivR 16.1(a), the brief and declarations filed in support of this motion, Farmland respectfully submits that good cause exists for the Court to re-set a discovery motion deadline.

Respectfully submitted this 11<sup>th</sup> day of November, 2011.

/s/ Kenneth M. Wentz III

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 11, 2011, I served the foregoing **DEFENDANT FARMLAND FOODS, INC.'S MOTION TO RE-SET A DEADLINE FOR ALL DISCOVERY MOTIONS** via electronic filing. Notice of this filing will be sent to the following by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Carolyn H. Cottrell  
Christopher P. Welsh  
James R. Welsh  
Philip A. Downey  
Shanon J. Carson  
Todd M. Schneider

I hereby certify also that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

None.

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